

AUG 24 2007

Application No. 10/737,252
 Amendment dated August 24, 2007
 After Final Office Action of May 30, 2007

Docket No.: ALEX-P02-077

REMARKS

Claims 1-8 and 10-11 have been canceled without prejudice. Claims 9 and 12 have been amended solely for greater clarity. Support for the amendments can be found throughout the specification (e.g., Example 6 on pages 50-54). No new matter has been introduced and no new issue has been raised. The amendments have been made solely to expedite prosecution of the application. Applicants reserve the right to pursue claims of similar or differing scope in the future.

Applicants respectfully request reconsideration in view of the following remarks. Issues raised by the Examiner will be addressed below in the order they appear in the prior Office Action.

Information Disclosure Statements

As an initial matter, Applicants note that Information Disclosure Statements (IDSs) were submitted on September 15, 2004, April 18, 2006, and July 10, 2006. However, the Examiner has not initialed and returned these IDSs. Applicants respectfully request the Examiner to consider, initial, and return these IDSs.

Election/Restriction

Applicants note that the Examiner has included new claim 12 in the elected invention.

Claim Rejections under 35 U.S.C. § 102(b)

Claims 9 and 11 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Moreno de Alboran et al. Applicants respectfully traverse the rejection.

Applicants reiterate the arguments already made of record and contend that Moreno de Alboran et al. fail to satisfy the criteria for anticipating the present invention. Moreno de Alboran et al. describe a method of making an IgA library which involves a PCR amplification step using two primers (see, e.g., page 22, right column, lines 25-36; page 24, right column, lines 3-13), which was known in the art to result in a biased library as different antibodies have slightly different sequences.

By contrast, independent claim 9 relates to a library of IgA antibodies prepared by a method which comprises a step of amplifying the extended polynucleotides using a single primer having the predetermined sequence (i.e., step (g)). The recited method would result in an improved library

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as compared to the method of Moreno de Alboran et al. In preparing the claimed library, a predetermined sequence is artificially added to the 5' end of all the polynucleotides to be amplified and a sequence that is complementary to the predetermined sequence is added to the 3' end of all the polynucleotides to be amplified. Since all the modified polynucleotides are subsequently amplified using a single primer (see, e.g., Figure 6; and the paragraph bridging pages 16 and 17), all of the different polynucleotides (e.g., encoding IgA) are amplified without bias, yielding an **improved** library which is clearly distinguishable from the library of Moreno de Alboran et al.

The Examiner asserts that "[t]here is no limitation in the claims that only one primer is used in the method of making the library. The claims are drafted in a manner that is sufficiently broad that would allow a library produced by the instantly claimed method to overlap with a library produced by the method taught by Moreno de Alboran." See Office Action, page 3, lines 14-17.

Applicants respectfully disagree with the Examiner's assertion since step (g) of claim 9 clearly recites "using a single primer having the predetermined sequence." Nonetheless, solely to expedite prosecution of the application, Applicants have amended step (g) of claim 9 to clarify that only a single primer having the predetermined sequence is used. Applicants have also canceled claim 11 without prejudice. Applicants believe the claim amendments obviate the rejections.

In sum, Moreno de Alboran et al. do not teach all the elements of independent claim 9 and fail to anticipate claim 9. For the same reasons, Applicants submit that all claims depending from claim 9 are not anticipated by Moreno de Alboran et al. Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(b).

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CONCLUSION

In view of the above remarks, Applicants believe that the pending application is in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. Applicants believe no fee is due. However, should a fee be required, please charge our Deposit Account No. 18-1945, under Order No. ALEX-P02-077.

Dated: August 24, 2007

Respectfully submitted,

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